

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SALON FAD, et al.,

Plaintiffs,

-v-

L'OREAL USA, INC., CONAIR CORPORATION,
FAROUK SYSTEMS, INC., JOHN PAUL
MITCHELL SYSTEMS, SEXY HAIR CONCEPTS,
LLC, THE PROCTOR AND GAMBLE COMPANY,
and TIGI LINEA, LP,

Defendants.
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10 Civ. 5063 (DLC)

ORDER

DENISE COTE, District Judge:

On August 20, 2010, defendants L'Oreal USA, Inc. ("L'Oreal"), John Paul Mitchell Systems ("Paul Mitchell"), TIGI Linea, LP ("TIGI"), Conair Corporation ("Conair"), Sexy Hair Concepts, LLC ("Sexy Hair"), The Procter & Gamble Company ("P&G"), and Farouk Systems, Inc. ("Farouk") (collectively, the "defendants") filed separate motions to dismiss the plaintiffs' complaint pursuant to Rule 12(b)(6), Fed. R. Civ. P. Farouk moves in the alternative to sever the claims against Farouk and transfer the severed action to the United States District Court for the Southern District of Texas pursuant to 28 U.S.C. § 1404(a). Farouk's motion appears to have been filed twice [Docket Nos. 65 and 67]. Paul Mitchell also moves to join in its co-defendants' motions to dismiss. Under Rule 15(a)(1)(B), Fed. R. Civ. P., a plaintiff has 21 days after the service of a

motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby

ORDERED that plaintiffs shall file any amended complaint by **September 10, 2010**. Plaintiffs will have no further opportunity to amend.

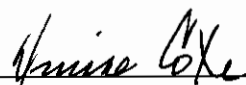
IT IS FURTHER ORDERED that if no amended complaint is filed, plaintiffs shall serve their opposition to defendants' motions to dismiss by **September 10, 2010**. Defendants' replies, if any, shall be served by **September 17, 2010**. At the time any reply is served, the moving party shall supply Chambers with two (2) courtesy copies of all motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, New York.

IT IS FURTHER ORDERED that the initial pretrial conference scheduled for August 30, 2010 is adjourned sine die.

IT IS FURTHER ORDERED that the Clerk of Court shall terminate Farouk's first-filed motion to dismiss [Docket No. 65].

SO ORDERED:

Dated: New York, New York
August 23, 2010



DENISE COTE
United States District Judge